

### **REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed in view of the Office Action dated 27 September 2004. Responsive to the Office Action, Claim 1 is now amended and Claims 4 – 5 are newly-inserted for further prosecution with the other pending claims. With such amendment and insertion of claims, there is a further clarification of the pending claims' recitations.

In the Office Action, the Examiner rejected Claims 1 – 3 under 35 U.S.C. § 102(b) as being anticipated by the Saltzman reference. In setting forth this rejection, the Examiner correlated Saltzman's reversible tip elements 24 with Applicant's spikes.

As newly-amended independent Claim 1 now more clearly recites, Applicant's positioning foot is one which includes among its combination of features pads each "having a through hole ... and a groove defined in a side face" thereof. The positioning foot also includes among its features "spikes" which are "each pivotally and slidably received in a corresponding one of the pads" so as to be "adjustably extended transversely outward and pivotally displaced relative thereto for engagement with a supporting surface," as newly-amended independent Claim 1 also now more clearly recites.

The full combination of these and other features now more clearly recited by newly-amended independent Claim 1 is nowhere disclosed by the cited

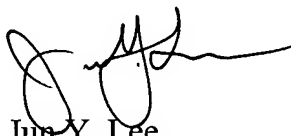
Saltzman reference. Perhaps most notable in this regard is that each “reversible tip element 24” of Saltzman is just that – a “reversible” element that is pivotally secured within the “split lower end 21” of each secondary extension 18, 19, 20. Each reversible tip element 24 is provided with alternative rubber and metallic tips 25, 26 on its longitudinally opposed ends such that when it is pivotally turned to one orientation, the metallic tip 26 points downward from the terminal end of the given extension 18, 19, 20, and when the element 24 is flipped, the rubber tip 25 extends downward in its place.

Snuggly secured as it is within the split lower end 21, this reversible tip element 24 is not both “pivotally and slidably received” therein, as Claim 1 now more clearly recites. Nor is this reversible tip element 24 “adjustably extended transversely outward and pivotally displaced relative thereto,” as Claim 1 also now more clearly recites. It could not be. Indeed, the outer sleeve 33 (which is withdrawn out of the way when the element 24 is to be flipped) normally encircles the element 24 to ensure it remains fully within the split lower end 21, abruptly precluding such adjustable extension for engagement with a supporting surface.

It is respectfully submitted, therefore, that the cited Saltzman reference fails to disclose the unique combination of elements now more clearly recited by Applicant’s pending claims. The other references cited by the Examiner but not used in the rejection are believed to be further remote from Applicant’s positioning foot when patentability considerations are taken into account.

It is now believed that the subject Patent Application has been placed fully  
in condition for allowance, and such action is respectfully requested.

Respectfully submitted,  
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